

## Introduced by Senator Poochigian

February 21, 2003

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An act to amend Section 4551 of the Labor Code, relating to workers' compensation.

## LEGISLATIVE COUNSEL'S DIGEST

SB 759, as introduced, Poochigian. Workers' compensation.

Existing law provides that if an injury is caused by the serious and willful misconduct of the injured employee, the workers' compensation otherwise recoverable shall be reduced by one-half, except under certain circumstances.

This bill would make technical, nonsubstantive changes to this provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 4551 of the Labor Code is amended to  
2 read:  
3 4551. Where the injury is caused by the serious and willful  
4 misconduct of the injured employee, the compensation *that would*  
5 otherwise *be* recoverable ~~therefor~~ *under this division* shall be  
6 reduced one-half, except *under any of the following*  
7 *circumstances*:  
8 (a) Where the injury results in death.  
9 (b) Where the injury results in a permanent disability of 70  
10 percent or over.



- 1 (c) Where the injury is caused by the failure of the employer to  
2 comply with any provision of law, or any safety order of the  
3 Division of Occupational Safety and Health, with reference to the  
4 safety of places of employment.
- 5 (d) Where the injured employee is under 16 years of age at the  
6 time of *the* injury.

